

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

FOUNDRY NETWORKS, INC.

SUMMONS IN A CIVIL CASE

V.

ALCATEL USA RESOURCES, INC.,
ALCATEL INTERNETWORKING, INC.,
COMPAGNIE FINANCIERE ALCATEL,
ALCATEL S.A.

CASE NUMBER: 06-470

TO: (Name and address of Defendant)

ALCATEL S.A.
C/O SECRETARY OF STATE
STATE OF DELAWARE
TOWNSEND BUILDING
DOVER, DELAWARE

ALCATEL S.A.
54, RUE LA BOETIE
75008, PARIS, FRANCE

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

PHILIP A. ROVNER, ESQ. (#3215)
POTTER ANDERSON & CORROON LLP
HERCULES PLAZA
P.O. BOX 951
WILMINGTON, DE 19899
(302) 984-6000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

Evette Watson

(By) DEPUTY CLERK

AUG 01 2006

DATE

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	August 1, 2006
NAME OF SERVER (PRINT) Marian Hoggan	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>Secretary of State of Delaware, 411 Federal Street, Dover DE 19901. Served by Jamie Stone at 1:44 p.m.</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input type="checkbox"/> Other (specify): _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>8-1-06</u> Date</p> <p style="margin-left: 250px;"><u>Marian Hoggan</u> Signature of Server</p> <p style="margin-left: 250px;"><u>32 Lockerman, Jr. St. 109, Dover DE 1994</u> Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.